REMARKS

Summary of Office Action

Claims 1-2, 4-5, 10-12, 16 and 18-21 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bernkopf (U.S. Patent No. 6,844,673) in view of Nishi et al. (U.S. Patent Application Publication No. 2001/0004190).

Claims 3 and 17 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bernkopf in view of Nishi et al. in further view of Fukunaga (U.S. Patent No. 6,608,449).

Claims 6-9 and 13-15 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bernkopf in view of Nishi et al. in further view of Kawase (U.S. Patent Application Publication No. 2005/0176242).

Claims 22-27 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bernkopf in view of Nishi et al. in further view of Urabe et al. (U.S. Patent No. 6,614,174).

Summary of Response

None of the claims have been amended at this time. Accordingly, claims 1-27 are currently pending for further consideration.

All Claims Comply with 35 U.S.C. § 103

Claims 1-2, 4-5, 10-12, 16 and 18-21 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bernkopf in view of Nishi et al. Claims 3 and 17 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bernkopf in view of Nishi et al. in further view of Fukunaga. Claims 6-9 and 13-15 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bernkopf in view of Nishi et al. in further view of Kawase. Claims 22-27 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over

Bernkopf in view of Nishi et al. in further view of Urabe et al. Applicant respectfully traverses these rejections for the following reasons.

As discussed in the previous response filed May 8, 2006 and incorporated herein by reference, Bernkopf fails to teach or suggest at least "a first spacer made of conductive material" and "a second spacer made of an adhesive material to fix together the first and second array substrates." Moreover, Bernkopf is not combinable with Nishi et al. in the manner alleged in the Office Action.

In the Office Action, the conductive adhesive deposit 212 is construed as the "first spacer" and the barrier 112 is construed as the "second spacer" referring to FIGs. 4-6 of Bernkopf. (FOA: p. 2, bottom paragraph.) Applicant disagrees. Annotated FIGs. 5 and 6 are presented below for convenience.

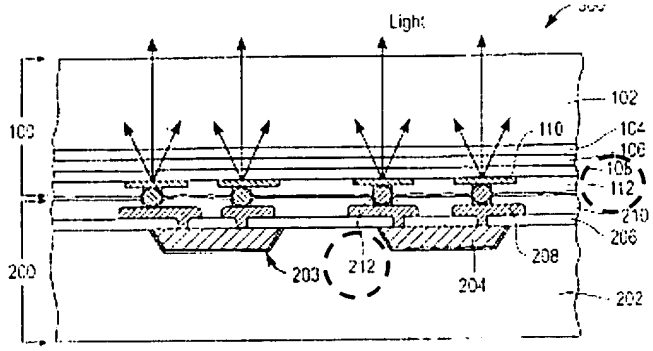


FIG. 5

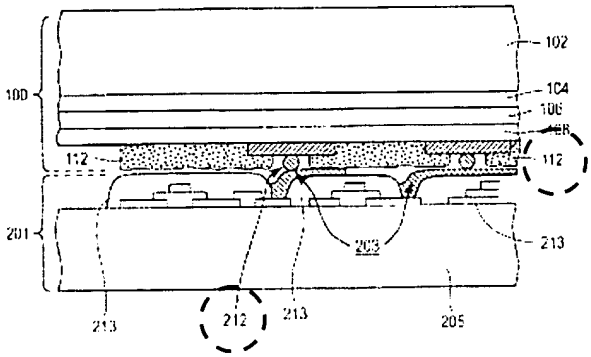


FIG. 6

As discussed in the previous response and reiterated here, barrier layer 112 is ***not*** a "spacer." As described in Bernkopf, barrier layer 112 is a protective covering that protects the electroluminescent medium 108 from water, oxygen, and other contaminants. (Col. 6, ll. 29-37.) Moreover, as illustrated in FIG. 4, annotated and reproduced below, barrier layer 112 forms the

top surface 120 of the front plane 100 while the conductive adhesive deposits 212 forms the top surface 220 of back plane 200. (Col. 9, ll. 55-63.)

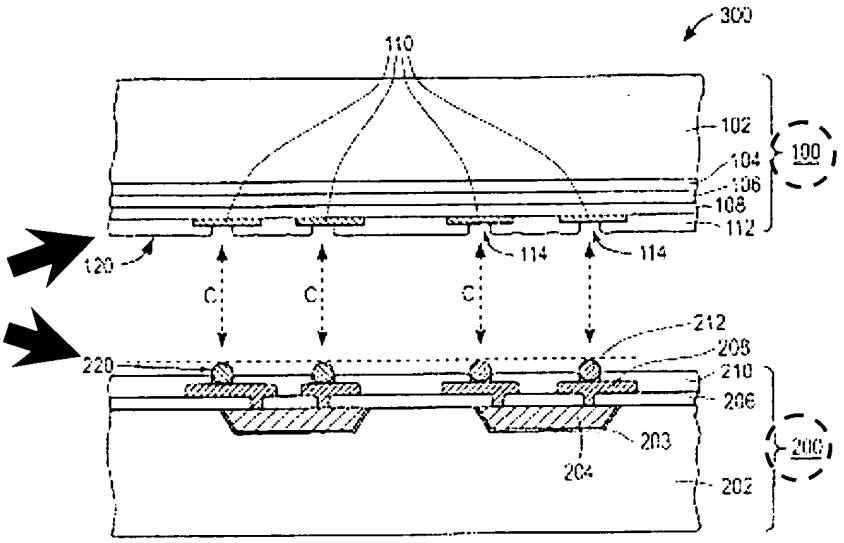


FIG. 4

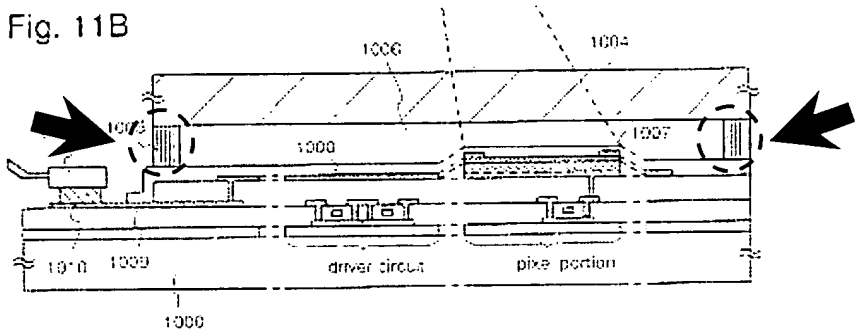
When the front plane substrate 102 and backplane substrate 202 are brought together, the adhesive deposits 212 come in contact with electrode layer 110, thereby creating a gap between the barrier layer 112 and the planarization layer 210 or thin film transistor 213 as shown in FIG. 5 and 6, respectively. As the barrier layer 112 does not come in contact with either the planarization layer 210 or TFTs 213, barrier layer 112 cannot be a spacer.

In the final Office Action, it is noted that the Office "interprets the claimed 'spacer' as any element that maintains the proper functionality." (FOA: p. 9, ll. 9-10.) The Office further alleges that "it is reasonable to interpret the claimed 'spacer' as an entity of which a physical element is utilized to create separation between two objects." (FOA: p. 9, ll. 11-12.) Contrary to the Office Action, separation is provided by the adhesive deposits 212 and ***not*** by the barrier layer 112. The barrier layer 112 does ***not*** provide separation between any two objects.

Applicant requests clarification as to which two objects the barrier layer 112 is purportedly separating.

As to the allegation that it would have been obvious to one of ordinary skill in the art to have modified the barrier layer 112 of Bernkopf with the adhesive material used as a seal 1005 of Nishi et al., Applicant disagrees. FIG. 11B of Nishi et al. is annotated and reproduced below for convenience.

Fig. 11B



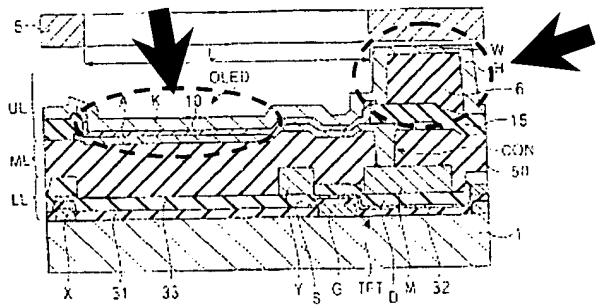
As shown in FIG. 11B of Nishi et al. elements 1005 are outside seals used to bond the outer periphery of the upper substrate 1004 to the bottom substrate. These outer seals 1005 of Nishi et al. have no relation to the barrier layer 112 of Bernkopf as these elements are completely disparate components with completely different functions. For instance, seal 1005 of Nishi et al. is used to bond the upper substrate 1004 to create an enclosed space 1006. (Nishi: p. 10, ¶ [0160].) By contrast, as explained above, the barrier layer 112 of Bernkopf does not come in contact with the planarization layer 210 (FIG. 5) or the TFT 213 (FIG. 6) as discussed above. Any spacing is provided by the adhesive deposits 212 and ***not*** by the barrier layer 112. Moreover, the barrier layer 112 of Bernkopf is formed directly onto the electroluminescent medium 108 to form a protective covering over the electroluminescent medium 108.

Accordingly, there is no teaching or suggestion to motivate one of ordinary skill in the art to use an adhesive material for the barrier layer 112 of Bernkopf from Nishi et al.'s seal 1005 as alleged in the Office Action. Even if, *in arguendo*, one of ordinary skill in the art would have been motivated to use Nishi et al.'s seal 1005 for the barrier layer 112 of Bernkopf, the barrier layer 112 is still ***not a spacer*** even by the Office's own definition (i.e., the barrier layer 112 does not "create separation between two objects" as defined by the Office).

Therefore, Applicant submits that Bernkopf and Nishi et al., whether taken individually or in combination, fail to teach or suggest each of the features recited in independent claims 1, 10, and 16 for at least the reasons stated above. As claims 2, 4, 5, 11, 12, and 18-21 depend from one of the independent claims 1, 10, and 16, Applicant submits that these claims are also allowable for at least the reasons stated above.

As to claims 3, 6-9, 13-15, 17, and 22-27, Fukunaga, Kawase, and Urabe et al. all fail to cure the deficiencies of Bernkopf and Nishi et al. discussed above. Moreover, as to claims 23, 25, and 27, it is alleged in the Office Action that "Bernkopf-Nishi-Urabe teaches that the second spacer (112 of '673) contacts the barrier part (#6 of '174)." (FOA: p. 7, ¶3.) Applicant disagrees. FIG. 1 of Urabe et al. is annotated and reproduced below for convenience.

FIG. 1



As shown in FIG. 1 of Urabe et al., K is a transparent cathode electrode that is formed on top of organic electroluminescent layer 10. As discussed above, barrier layer 112 of Bernkopf is formed on top of the electroluminescent medium 108 to protect the same from exposure to contaminants. As shown FIG. 1 of Urabe et al., the electroluminescent layer 10 formed side-by-side with the barrier part 6. Accordingly, the barrier layer 112 of Bernkopf would be next to the barrier part 6 Urabe et al. and not necessarily contact the barrier part 6. Accordingly, Applicant requests that the §103 rejections to claims 1-27 be withdrawn.

CONCLUSION

In view of the foregoing, reconsideration and timely allowance of the pending claims are respectfully requested. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution. If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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